



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1466

Introduced 2/21/2007, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

105 ILCS 5/1A-12 new
30 ILCS 805/8.31 new

Amends the School Code. Provides that the State Board of Education shall have the necessary powers to promote sound academic management and to continue operation of the public schools. Provides that the State Board, after proper investigation of the school or school district's academic condition, may certify that a school or district is in academic difficulty if (i) the school or district has been placed on academic early warning status and has failed to make adequate yearly progress for a third consecutive year; (ii) the school or district has been placed on academic watch status; (iii) the district has failed to produce an acceptable school improvement plan following placement of the school or district on academic early warning status or academic watch status; (iv) the school or district has failed to provide the required percentage of highly qualified teachers to its students for 2 consecutive years and is determined to be in need of intervention by the State Board; or (v) the school or district has been engaged in documented and substantiated acts of mismanagement in regard to hiring practices that has placed the academic integrity of the school or district in question or has placed students in physical danger and that is determined to be in need of intervention by the State Board. Under certain circumstances, provides for the development of an academic improvement plan, the appointment of an academic oversight panel, and the establishment of a school or district academic authority panel. Amends the State Mandates Act to require implementation without reimbursement.

LRB095 08544 NHT 28725 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section
5 1A-12 as follows:

6 (105 ILCS 5/1A-12 new)

7 Sec. 1A-12. Powers of the State Board in assisting schools
8 and districts deemed in academic difficulties.

9 (a) To promote the academic integrity of schools and school
10 districts, the State Board of Education shall have the
11 necessary powers to promote sound academic management and to
12 continue operation of the public schools.

13 (b) The State Board of Education, after proper
14 investigation of the school or school district's academic
15 condition, may certify that a school or district, including a
16 school or district subject to Article 34 of this Code, is in
17 academic difficulty if any of the following circumstances
18 occur:

19 (1) The school or district has been placed on academic
20 early warning status and has failed to make adequate yearly
21 progress for a third consecutive year.

22 (2) The school or district has been placed on academic
23 watch status.

1 (3) The district has failed to produce an acceptable
2 school improvement plan following placement of the school
3 or district on academic early warning status or academic
4 watch status.

5 (4) The school or district has failed to provide the
6 required percentage of highly qualified teachers to its
7 students for 2 consecutive years and is determined to be in
8 need of intervention by the State Board.

9 (5) The school or district has been engaged in
10 documented and substantiated acts of mismanagement in
11 regard to hiring practices, including without limitation
12 the hiring of persons who do not meet minimal certification
13 requirements for the positions being filled whether due to
14 the submission of falsified credentials or simply a lack of
15 credentials, that has placed the academic integrity of the
16 school or district in question or has placed students in
17 physical danger and that is determined to be in need of
18 intervention by the State Board.

19 (c) A school or school district must not be certified to be
20 in academic difficulty by reason of any of the circumstances
21 listed under subsection (b) of this Section arising as a result
22 of the failure of the county to make a distribution of property
23 tax money due to the district at the time the distribution is
24 due or if the school or district clearly demonstrates to the
25 satisfaction of the State Board of Education at the time of the
26 State Board's determination that none of the circumstances

1 listed under subsection (b) of this Section exists any longer.

2 (d) If the State Board of Education certifies that a school
3 or school district subject to Article 34 of this Code is in
4 academic difficulty, the State Board shall so notify the
5 Governor and the mayor of the city where the district is
6 located.

7 (e) The State Board of Education may require a school or
8 school district that is certified to be in academic difficulty,
9 except a school or district subject to Article 34 of this Code,
10 to develop, adopt, and submit an academic improvement plan
11 within 45 days after certification of academic difficulty. The
12 plan must be developed according to guidelines presented to the
13 district by the State Board within 14 days after certification.
14 The guidelines shall address the specific nature of the
15 school's or district's academic difficulties. Any proposed
16 local academic improvement plan of the school or district must
17 be consistent with the academic improvement plan approved by
18 the State Board.

19 A school or district certified to be in academic
20 difficulty, other than a school or district subject to Article
21 34 of this Code, shall report to the State Board of Education,
22 at such times and in such manner as the State Board may direct,
23 concerning the school's or district's compliance with the
24 academic improvement plan approved by the State Board. The
25 State Board may review the school's or district's operations;
26 obtain relevant employee information; obtain information on

1 curricula standards, plans, and practices; require the school
2 or district to produce reports; and have access to any other
3 information in the possession of the school or district that
4 the State Board deems relevant.

5 In a school's or district's first year of certified
6 academic difficulty, other than a school or district subject to
7 Article 34 of this Code, the State Board may advise the school
8 or district on recommended or suggested methods of improving
9 academic success in the school or district consistent with the
10 school's or district's academic improvement plan approved by
11 the State Board. The school or district may or may not accept
12 or adopt these recommendations.

13 In a school's or district's second year of certified
14 academic difficulty, other than a school or district subject to
15 Article 34 of this Code, the State Board may issue
16 recommendations or directives, within the State Board's
17 powers, to the school or district to ensure compliance with the
18 academic improvement plan approved by the State Board. The
19 school or district shall produce such data, statements,
20 reports, and other information as required by the State Board
21 and comply with the State Board's directives.

22 If the State Board determines that a school or district,
23 other than a school or district subject to Article 34 of this
24 Code, has failed to comply with the academic improvement plan
25 approved by the State Board, then the State Board may rescind
26 approval of the plan and appoint an Academic Oversight Panel

1 for the school or district. The Academic Oversight Panel may
2 exercise veto power over school board decisions concerning the
3 school or district, whichever is applicable, in an effort to
4 ensure that the academic improvement plan is pursued as needed.
5 This action may be taken only after the school or district has
6 been given notice and an opportunity to appear before the State
7 Board to discuss the school's or district's failure to comply
8 with the academic improvement plan. If the Academic Oversight
9 Panel fails to assist a school or district in meeting adequate
10 yearly progress for 2 consecutive years, then the State Board
11 shall establish a School Academic Authority Panel or District
12 Academic Authority Panel, whichever is applicable, to exercise
13 all of the powers and duties belonging to the school board
14 concerning the school or district, whichever is applicable,
15 which powers and duties are deemed transferred to the Panel
16 upon establishment of the Panel.

17 (f) The State Board of Education may adopt any rules that
18 are necessary to carry out its responsibilities under this
19 Section.

20 Section 90. The State Mandates Act is amended by adding
21 Section 8.31 as follows:

22 (30 ILCS 805/8.31 new)

23 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
24 of this Act, no reimbursement by the State is required for the

1 implementation of any mandate created by this amendatory Act of
2 the 95th General Assembly.